

### REMARKS

In this Response, Applicant cancels claims 3 and 20 without prejudice, amends claims 1, 9, 13-19, and 21, adds new claims 22-26, and traverses the Examiner's rejections. Cancellations of and amendments to the claims are being made solely to expedite prosecution of the instant application and should not be construed as acquiescence to the rejections. Silence with regard to any of the Examiner's rejections should not be construed as acquiescence to any of the rejections. Specifically, silence with regard to any of the rejections of the dependent claims that depend from an independent claim considered by the Applicant to be allowable based on the Amendment and/or Remarks provided herein should not be construed as acquiescence to any of the rejections. Rather, silence should be construed as recognition by the Applicant that the previously lodged rejections are moot based on the Amendment and/or Remarks submitted by the Applicant relative to the independent claim from which the dependent claims depend. Applicant reserves the option to further prosecute the same or similar claims in the instant or a subsequent application. Upon entry of the Amendment, claims 1, 2, 4-19 and 21-26 are pending in the present application.

### Amendments to the Claims

Support for the amendments to the claims can be found throughout the originally filed application. The amendments to the claims thus do not add new matter.

### Office Action ¶¶ 5-6

The Examiner rejected claims 15 and 17-21 under 35 U.S.C. § 101 as being directed to non-patentable subject matter.

Applicant cancels claim 20 without prejudice, thereby mooting the Examiner's rejection of claim 20.

Applicant amends independent claim 15 to recite a computer program product stored on a computer-readable medium and including instructions for a computer.

Applicant amends independent claim 19 and claim 21 depending therefrom to recite a system for assisting a user with a product selection, in which the system includes a database and a server in communication with the database.

Applicant amends independent claim 17 and claim 18 depending therefrom to depend from independent claim 19.

Applicant considers these amendments to traverse the Examiner's rejections of claim 15 and 17-21 under 35 U.S.C. § 101.

#### Office Action ¶¶ 2-4

The Examiner rejected claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over Salmon in view of Esposito.

#### *Claims 1, 2, and 4-14*

Applicant's independent claim 1 is directed to a method for interactively selecting a product in a networked environment. Among other things, Applicant's independent claim 1 includes providing a product criterion to a client within a page, in which the product criterion includes a plurality of possible selections, receiving one of the plurality of possible selections from the client, and "providing product information to the client *within the page, the product information* related to the one of the plurality of possible selections received from the client, and *comparing the one of the plurality of possible selections to one or more other ones of the plurality of possible selections to assist a user at the client in determining whether to purchase a product that includes the one of the plurality of possible selections.*"

Salmon describes a user interface that can be used by buyers and sellers to broker transactions. As described in Salmon col. 6, l. 6 to col. 7, l. 58 and shown in Figs. 4a-4q, the user interface can guide a buyer to define a profile of a product to be purchased. For example, via the user interface, a buyer can select a category of information to be entered in the profile (e.g., the Function category in the pull-down menu of Fig. 4e). (Salmon col. 7, ll. 6-8.) Based on the buyer's selected category, the user interface presents the buyer with a screen showing characteristics associated with the category (e.g., the administrative, marketing/sales, manufacturing, general, and technical characteristics of Fig. 4e). (Salmon col. 7, ll. 8-10.) In

some embodiments of Salmon, based on a buyer's selection of a characteristic, the user interface can present the buyer with a pop-up window on the screen, in which the pop-up window shows additional sub-characteristics from which to choose (e.g., the advertising, marketing, and sales sub-characteristics in Fig. 4f). (Salmon col. 7, ll. 10-17.) Salmon thus presents on a screen characteristics from which to choose, and, based on a chosen characteristic, presents on the screen sub-characteristics from which to choose. Salmon does not, however, provide on the screen product information that is related to a chosen characteristic and that compares the chosen characteristic to one or more different characteristics to assist a user in determining whether to purchase a product that includes the chosen characteristic, as is claimed in Applicant's independent claim 1. In contrast to Applicant's independent claim 1, Salmon presents only increasingly finer characteristics from which to choose, but not information that would assist a buyer in determining whether to purchase a product that includes the chosen characteristic compared to another characteristic. Accordingly, Salmon does not teach the feature of Applicant's independent claim 1 directed to "providing product information to the client within the page, *the product information* related to the one of the plurality of possible selections received from the client, and *comparing the one of the plurality of possible selections to one or more other ones of the plurality of possible selections to assist a user at the client in determining whether to purchase a product that includes the one of the plurality of possible selections.*"

Esposito also describes a user interface that can be used by buyers and sellers to broker transactions. As described in Esposito col. 5, ll. 22-40 and Fig. 5, the user interface can present a user with an initial screen showing a plurality of product options from which to choose (e.g., Ford, Chevrolet, and Chrysler in Fig. 5, item 501). (Esposito col. 5, ll. 25-28.) Based on a selected option from the initial screen, the user interface presents a second screen showing product information associated with the products that satisfy the selected option (e.g., information, such as photos, of a Ford Mustang in Fig. 5, item 502). (Esposito col. 5, ll. 28-35.) Esposito thus presents on a first screen user options and, based on a selection of an option, presents on a different second screen product information on products that satisfy the selected option. Esposito does not, however, present on the first screen product information that is related to a selected option and that compares the selected option to one or more different options to assist a user in determining whether to purchase a product that includes the selected option, as is claimed in Applicant's independent claim 1. Rather, Esposito merely presents product

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information on products that satisfy the selected option, but not information that would assist a buyer in determining whether to purchase a product that includes the selected option as opposed to another option. Moreover, Esposito presents the product information on a second screen that is different than the initial screen in which the product options are presented, in further contrast to Applicant's claim 1. Accordingly, Esposito also does not teach the feature of Applicant's independent claim 1 directed to "providing product information to the client within the page, *the product information* related to the one of the plurality of possible selections received from the client and *comparing the one of the plurality of possible selections to one or more other ones of the plurality of possible selections to assist a user at the client in determining whether to purchase a product that includes the one of the plurality of possible selections.*"

As the Examiner knows, the Examiner must show that all of the features of Applicant's claims are satisfied by the cited references to establish a prima facie cases of obviousness under 35 U.S.C. § 103(a). As provided herein, none of the cited references, whether considered separately or in combination, teaches all of the features of Applicant's independent claim 1. The Examiner thus fails to provide prima facie cases of obviousness for at least this reason. Applicant's failure to address the motivation and reasonable expectation of success elements of 35 U.S.C. § 103(a) should not be interpreted as an admission that such elements are satisfied, but rather as a recognition by the Applicant that such elements are moot given the Examiner's failure to provide a showing of all of the features of Applicant's independent claim 1.

Accordingly, Applicant traverses the Examiner's 35 U.S.C. 103(a) rejection of independent claim 1, and considers independent claim 1 to be allowable. Since claims 2 and 4-14 depend from allowable independent claim 1, claims 2 and 4-14 are allowable based on their dependency from an allowable base claim.

#### *Claims 15 and 16*

Independent claims 15 and 16 are companion computer-program-product and system claims to independent method claim 1. Accordingly, for the reasons provided with respect to allowable independent claim 1, Applicant considers independent claims 15 and 16 to be allowable.

#### *Claims 17-19 and 21*

Applicant's independent claim 19 is directed to a system for assisting a user with a product selection. Among other things, Applicant's independent claim 19 includes a database and a server in communication with the database. The server is configured to retrieve a group of product criteria and an associated group of options from the database, display the group of product criteria and the associated group of options within a page, and, "based on a selection of an option from a client, *display product information within the page, the information being related to the selected option and comparing the selected option to one or more other options to assist a user at the client in determining whether to purchase a product that includes the selected option.*"

As provided herein with respect to independent claim 1, the cited prior art does not teach Applicant's claimed feature of "providing product information to the client within the page, *the product information related to the one of the plurality of possible selections received from the client and comparing the one of the plurality of possible selections to one or more other ones of the plurality of possible selections to assist a user at the client in determining whether to purchase a product that includes the one of the plurality of possible selections.*"

Accordingly, Applicant traverses the Examiner's 35 U.S.C. 103(a) rejection of independent claim 19 and considers independent claim 19 to be allowable. Claims 17, 18, and 21 depend from allowable independent claim 19 and are allowable based on their dependency from an allowable base claim.

Based on the foregoing Amendment and Remarks, Applicant traverses the Examiner's rejection of claims 1-21 under 35 U.S.C. § 103(a).

#### New Claims

Applicant adds new claims 22-26 directed to features of the present application. New claim 22 is independent, and new claims 23-24 depend from claim 22. New claims 25 and 26 depend from independent claims 15 and 16, respectively.

Support for the new claims can be found throughout the originally-filed application. The new claims thus do not provide new matter.

#### *Claims 25 and 26*

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Applicant consider new claims 25 and 26 to be allowable based on their dependency on allowable base claims 15 and 16.

*Claims 22-24*

Applicant's new independent claim 22 is directed to a method for selecting a product. Among other things, Applicant's independent claim 22 includes presenting a page including a product criterion associated with two or more options, receiving from a client a selection of one of the two or more options, and, "based on the selection, *updating the page to include the product criterion, the associated two or more options, an indicator of the selection, and information related to the selection and comparing the selection to one or more other selections to assist a user in determining whether to purchase a product including the selection.*"

As previously provided herein, the cited prior art does not teach the feature "providing product information to the client within the page, *the product information related to the one of the plurality of possible selections received from the client and comparing the one of the plurality of possible selections to one or more other ones of the plurality of possible selections to assist a user at the client in determining whether to purchase a product that includes the one of the plurality of possible selections.*"

Accordingly, Applicant considers new claim 22 and claims 23-24 depending therefrom to be allowable.

**CONCLUSION**

Applicant considers the Response herein to be fully responsive to the present Office Action. Based on the foregoing Amendment and Remarks, Applicant respectfully submits that this application is in condition for allowance. Accordingly, Applicant requests allowance. Applicant invites the Examiner to contact the Applicant's undersigned Attorney if any issues are deemed to remain prior to allowance.

Respectfully submitted,  
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